



Winston H. Hickox  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## North Coast Region

Ross R. Liscum, Chairman

Internet Address: <http://www.swrcb.ca.gov>  
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403  
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Gray Davis  
Governor

July 1, 1999

### AGENDA REGIONAL WATER BOARD MEETING

1:00 PM, July 21, 1999  
North Coast Regional Water Board  
Hearing Room  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California

**\*\*** *Estimated times of consideration - Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.*

**1:00 PM \*\***

- i. Roll Call and Introductions
- ii. Minutes of Past Meetings
- iii. Election of Board Chair and Vice Chair
- iv. **Public Forum** - Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. The Chair will determine the number of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.
- v. The consent items are expected to be routine and noncontroversial. It is recommended that these items be adopted by the Board at the beginning of the meeting without discussion. If any interested party, Board Member, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately.

**California Environmental Protection Agency**

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## CONSENT CALENDAR

- A. **State of California, Department of Transportation, State Route 1, Pudding Creek Bridge No. 10-158, Seismic Retrofit Project**, Mendocino County, Recision of Waste Discharge Requirements, WDID No. 1B97013RMEN *Charles T. Vath, Jr.*
- B. **Optical Coating Laboratories, Inc.**, 2789 Northpoint Parkway, Santa Rosa, Sonoma County, Renewal of NPDES Permit No. CA0024694, WDID No. 1B88067NSON *Kasey Ashley*
- C. **Sonoma County Transportation and Public Works, River Road, Hacienda Bridge No. 20C-037 Seismic Retrofit Project**, Hacienda, Sonoma County, New Waste Discharge Requirements, WDID No. 1B970011RSON *Scott A. Gergus*
- D. **State of California, Department of Transportation, State Route 1, Noyo River Bridge Replacement Project**, Fort Bragg, Mendocino County WDID No. 1B98097RMEN *Charles T. Vath, Jr.*
- E. **Gerald L. Storz, Vagabond Village Mobile Home Park**, Cleone, Mendocino County, Recision of Waste Discharge Requirements, WDID No. 1B840110MEN *Charles T. Vath, Jr.*
- F. **Sino-American Buddhist Association, City of Ten Thousand Buddhas**, Talmage, Mendocino County, Recision of Waste Discharge Requirements, WDID No. 1B76212OMEN *Charles T. Vath, Jr.*
- G. **California Department of Transportation, Guerneville Bridges**, Sonoma County, Recision of Waste Discharge Requirements, WDID No. 1B95028RSON *Scott Gergus*
- H. **Calpine Corporation dba Unocal Thermal Power Company**, The Geysers, Sonoma County, Revision of Waste Discharge Requirements, WDID No. 1B86002RSON *Scott Gergus*
- I. **Mendocino City Community Services District**, Mendocino, Mendocino County, Renewal of NPDES Permit No. CAO022870, WDID No. 1B83129OMEN *Charles T. Vath, Jr.*
- J. **Kendall Jackson Skylane Facility**, Santa Rosa, Sonoma County, New Waste Discharge Requirements, WDID No. 1B98080RSON *Rhonda Raymond*
- K. **Union Pacific Railroad Company**, 99 Frances, Santa Rosa, Sonoma County, NPDES Permit CA0024872 Revision, WDID No. 1B93002NSON *Janice M. Goebel*
- L. **Mendocino Forest Products Co. LLC**, Fort Bragg Studmill, 32600 Holquist Lane, Fort Bragg, Mendocino County, Revision of Waste Discharge Requirements Order No. 95-12, WDID No. 1B800054OMEN *Janice M. Goebel*



- M. **Basic American Foods, Hatfield Potato Plant**, Adoption of Resolution approving the Negative Declaration for and Revised Waste Discharge Requirements, WDID No. 1A93005RSIS  
*Manuel Baldenegro*
- N. **Safety-Kleen Systems, Inc.**, 5750 Commerce Boulevard, Rohnert Park, Sonoma County, Resolution for a Negative Declaration for the Cleanup and Abatement Order and New Waste Discharge Requirements, WDID No. 1B99012RSON *Bonnie Rolandelli*
- O. **MGM Brakes Assembly Plant**, Cloverdale, Sonoma County, Adoption of Resolution approving the Negative Declaration for an Interim Cleanup Remedy  
*Janice M. Goebel*
- P. **Siskiyou Developments, Handy Stop**, 25 North Weed Boulevard, Weed, Siskiyou County, Recision of Waste Discharge Requirements Order No. 91-182, WDID No. 1A91045RSIS  
*Roy O'Connor*
- Q. **Humboldt County Dept. of Public Works, Bear Canyon Road Bridge Construction Project** (Bridge No. 46-29), Humboldt County, New Waste Discharge Requirements, WDID No. 1B99005RHUM  
*Richard Azevedo*
- R. **Coast Wood Preserving**, Mendocino County, Revision to Waste Discharge Requirements WDID No. 1B  
*Janice M. Goebel*

**1:30 PM \*\***

## **WASTE DISCHARGE REQUIREMENTS**

1. **City of Santa Rosa Subregional Waste Water Treatment Facility**, Sonoma County, Update of NPDES Permit No CA0022764, WDID No. 1B83099OSON  
*Charles T. Vath, Jr.*
2. **John Porter and John McDonald dba Benbow Valley Investments**, Garberville, Humboldt County, New Waste Discharge Requirements, WDID No. 1B87037ONHU  
*Richard Azevedo*

## **CORRECTIVE ACTION**

3. **PUBLIC HEARING** to consider Recision of Time Schedule Order for U.S. Army Corps of Engineers, Kelly Road  
*Mark Neely*

## **OTHER BUSINESS**

4. Consideration of Resolution to express appreciation to Joyce Crockett for her service as a Regional Water Board Member  
*Lee A. Michlin*
5. Consideration of Agreement with County of Sonoma to address solvent contamination originating near the West Avenue intersection with Sebastopol Road.



*Susan A. Warner*

6. Consideration of Revision to the Request for McMinn Avenue Superfund Area Cleanup and Abatement Account funds  
*Nancy Negley*
7. Consideration of Request for Cleanup and Abatement Account funds for Yolanda Avenue/Asti Site  
*Bonnie Rolandelli*
8. Violations and Enforcement Report  
*Kathleen Daly*
9. Update on Pacific Lumber Company Watershed Assessment and other activities in Freshwater Creek and Elk River  
*Frank C. Reichmuth*

## **10 EXECUTIVE OFFICER'S REPORT**

### **Oral Reports**

- a. Status Report on Fishery Network of Central California Coastal Counties (Fishnet 4C) Work Plan  
*Lee A. Michlin*
- b. Report of Review of Recommended Forest Practice Rules Modification  
*Frank C. Reichmuth*
- c. Update on the Budget and Organization  
*Craig R. Johnson*
- d. Status Report on the City of Santa Rosa's Long-Term Wastewater Disposal  
*Charles T. Vath, Jr.*
- e. Status of Consent Decree and Stipulated Judgement in the Matter of the North Coast Railroad Authority dba Northwestern Pacific Railroad  
*Susan A. Warner*
- f. Status Report on Sonoma County Central Landfill  
*David S. Evans*

### **Written Reports**

- g. Report on Sonoma County Water Agency ESA Contract  
*Robert R. Klamt*
- h. Report on Russian River Watershed Council  
*Robert R. Klamt*
- i. Update on the Redwood Sanitary Company Spill in Windsor  
*Robert L. Tancreto*
- j. Report on the Status on Mercury in Lake Pillsbury  
*Bruce A. Gwynne*
- k. Report on the Status of Underground Storage Tank Issues and MtBE  
*Thomas B. Dunbar*
- l. Status Report on U.S. EPA's Cleanup of Mine Tailings at the old Grey Eagle Disposal Site on Indian Creek  
*David S. Evans*
- l. Summary of New Laws that went into effect January 1, 1999  
*Craig R. Johnson*
- n. Update on the Triennial Review of the Water Quality Control Plan for the North Coast Region  
*Cathy A. Goodwin*
- o. Update on Redwood Creek and Other TMDLs  
*John Hannum*
- p. Report on Y2K Informational Update  
*Robert L. Tancreto*
- q. Other Items of Interest

## **AGENDA**

***California Environmental Protection Agency***



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## REGIONAL WATER BOARD MEETING

**8:30 AM, July 22, 1999**  
**North Coast Regional Water Board**  
**Hearing Room**  
**5550 Skylane Boulevard, Suite A**  
**Santa Rosa, California**

**\*\* Estimated times of consideration - Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.**

**8:30 AM \*\***

- i. Roll Call and Introductions
- ii. **Public Forum** - Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. The Chair will determine the number of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.

### CONSENT CALENDAR

- A. **Former Woolen Mill**, Eureka, Humboldt County, Adoption of Resolution approving the Negative Declaration for an Interim Cleanup Remedy *Rachel Bosworth*

### PLANNING ISSUES

1. Update on CWA Sections 319(h) & 205(j) Grant Project Process *Janet Blake*

### CORRECTIVE ACTION

2. **PUBLIC HEARING** to consider an Administrative Civil Liability in the matter of **Westec Tank Company, Westec Industries and Alary Corporation** for failure to comply with the general storm water National Pollutant Discharge Elimination System (NPDES) Permit and for the hazardous material spill to Foss Creek  
*Kurt Soenen*

Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

3. **PUBLIC HEARING** to consider an Administrative Civil Liability in the matter of **Reza Baghery and Khalil Mokalla** for failure to comply with Cleanup and Abatement Order No. 97-111 and Time Schedule Order No. 97-112  
*Joan Fleck*

*California Environmental Protection Agency*



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Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

4. **PUBLIC HEARING** to consider an Administrative Civil Liability in the matter of the **City of Healdsburg** for discharge of raw sewage and untreated effluent discharge into the Russian River in violation of Waste Discharge Requirements Order No. 92-80 and the Water Quality Control Plan for the North Coast Region *Nathan Quarles*

Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

5. **PUBLIC HEARING** to consider an Administrative Civil Liability in the matter of the **Sonoma County Water Agency and Russian River County Sanitation District** for bypass of partially treated wastewater occurring in February 1999 in violation of their Waste Discharge Requirements *Nathan Quarles*

Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

6. **PUBLIC HEARING** to consider an Administrative Civil Liability in the matter of the **Sonoma County Water Agency and Russian River County Sanitation District** for two lift station overflows occurring in February 1999 and April 1999 in violation of their Waste Discharge Requirements *Nathan Quarles*

Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

7. **PUBLIC HEARING** to consider modification of Cease and Desist Order No. 98-24 which requires the **City of Crescent City** to cease and desist from discharging waste contrary to Waste Discharge Requirements Order No. 94-60. The modification may allow the connection of up to 220 single family dwelling unit equivalents to the sewage treatment plant *William T. Rodriguez*

## **OTHER BUSINESS**

8. Executive Officer Administrative Civil Liabilities Authority *Lee A. Michlin*
9. Article 11, Division 3, Chapter 16, Title 23, California Code of Regulations requires public notice for certain corrective actions related to releases from underground tanks. This section satisfies the public notice requirements and is in addition to any notice for corrective actions given elsewhere in this agenda.



The following sites have completed Corrective Action and no further corrective action is required [pursuant to Section 2728(d)(2)]. Those Responsible Parties who are claimants to the petroleum underground tank cleanup fund are identified by a "+":

**Mendocino County**

- + Christian Science Church, 521 Chestnut Street, Fort Bragg, 1TMC259
- Mendocino Woolens, 13420 S. Highway 101, Hopland, 1TMC156
- + Point Arena Garage, 170 Main Street, Point Arena, 1TMC018
- Mendocino Old Grammar School, 890 Pine Street, Mendocino, 1TMC401
- Redwood Empire Sawmill, 8750 Highway 128, Philo, 1TMC396
- Mendocino High School, 10700 Ford Street, Mendocino, 1TMC402
- Mardana Industrial Park, 360 Lake Mendocino Drive, Ukiah, 1TMC408
- Fetzer Wineries, 351 Talmage Road, Ukiah, 1TMC282
- + Holzhauser, James A. Trust, 276 East Clay Street, Ukiah, 1TMC282
- + Safeway, 635 State Street, Ukiah, 1TMC353

**Siskiyou County**

- + Montague Milling, 10th Street, Montague, 1TSI101

**Sonoma County**

- + Pine Creek Properties, 3215 Coffey Lane, Santa Rosa, 1TSR192
- Hall Construction, 1126 Lance Drive, Santa Rosa, 1TSR130
- + Bowman, 64 Compass Close, Sea Ranch, 1TSO568
- + Kurlander, Herbert, 123 Fourth Street, Santa Rosa, 1TSR157
- Henris Supply, 3995 Sebastopol Avenue, Santa Rosa, 1TSO074
- Adams, Janie, 2210 Bluebell Drive, Santa Rosa, 1TSR276
- + Murray, Hester, 1000 West College Avenue, Santa Rosa, 1TSR108
- Unocal Station, 431 Hahman Drive, Santa Rosa, 1TSO010

The following petroleum contaminated site, not related to underground tanks, has also completed corrective action.

10. Leaking Underground Storage Tanks/Sewage Spills
11. Proposition 65 Notifications
12. State and Regional Water Board Communications
13. Public Notice of Pending Requests for Water Quality Certification (Clean Water Act Section 401).

The Regional Water Board processes requests for certification, pursuant to Section 401 of the Clean Water Act, that a proposed federally-permitted construction activity will comply with the Board's water quality standards. A listing of requests, which are pending Regional Water Board action, includes the following:

1. California Department of Transportation, North Region proposes roadway restoration on State Route 299 between Post Mile 3.0/3.6, located near the community of Salyer. The project will include the following:
  - Sacrificing of existing asphalt concrete,
  - Removal of existing culverts and placement of rock lined channels,
  - Placement of fill to recontour and regrade abandoned cut area,





- Removal of existing slide material, and
- Revegetation of restoration area.

No impact to waterways, wildlife or critical habitat are foreseen from the proposed construction activity. Construction is scheduled to begin in the spring of 1999 and completed by October 1999. A Streambed Alteration Agreement has been obtained for the project from the California Department of Fish and Game. The request was submitted on December 23, 1998. Staff proposes to waive prescription of waste discharge requirements pursuant to Resolution No. 87-113 after a 15-day comment period that ends on July 16, 1999. (Manuel G. Baldenegro)

A fact sheet about a specific project and information about certification and opportunity for public comment may be obtained by calling the Regional Water Board office at (707) 576-2220 and asking for the specific staff person assigned to the project. (The name of the staff person is in parenthesis at the end of each descriptive paragraph.)

14. Closed Session. On July 21 and/or 22, 1999, the Regional Water Board will be meeting in closed session to discuss Significant Exposure to Litigation. [Authority: Government Code Section 11126(e)(2)(B)(i).]
15. Closed Session. On July 21 and/or 22, 1999, the Regional Water Board will be meeting in closed session to discuss Whether to Initiate Litigation. [Authority: Government Code Section 11126(e)(2)(C)(i).]
16. Closed Session. On July 21 and/or 22, 1999, the Regional Water Board will be meeting in closed session to discuss ongoing litigation in the case of *Coast Action Group v. California Regional Water Quality Control Board, North Coast Region, et al., San Francisco County Superior Court, Case No. 971803* [Authority: Government Code Section 11126(e)(2)(A)].
17. Closed Session. On July 21 and/or 22, 1999, the Regional Water Board will be meeting in closed session to discuss ongoing litigation in the case of *Russian River County Sanitation District and Sonoma County Water Agency v. State Water Resources Control Board and California Regional Water Quality Control Board for the North Coast Region, San Francisco County Superior Court, Case No. SCV-221487* [Authority: Government Code Section 11126(e)(2)(A)].
18. Closed Session. On July 21 and/or 22, 1999, the Regional Water Board will be meeting in closed session to discuss an Employee Evaluation. [Authority: Government Code Section 11126(a)(1).]

Anyone requiring reasonable accommodation to participate in the meeting should contact Ms. Jean Spath, Executive Assistant at (707) 576-2220 at least five days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Written comments should be submitted to ensure they will be included in the record before the Board. Oral testimony should be limited to brief summaries of written testimony. Please note time limitations will be imposed on presentations and limited to five minutes unless otherwise determined by the Board Chair.





A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

A quorum of the members of the Regional Water Board may recess for lunch; however, no business will be discussed.

Material presented to the Board as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, written testimony, etc. All Board files pertaining to the items on this agenda are hereby made a part of the record submitted to the Regional Water Board by staff for its consideration prior to action on the related items.

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit being considered by the Regional Water Board must submit a statement to the Board disclosing any contribution of \$250 or more to any Regional Water Board Member. This requirement applies to contributions of \$250 or more made by the active supporter or opponent or his/her agent for use in federal, state or local elections within the last 12 months.

Also, all permit applicants and/or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES Permit pending before the Regional Water Board are prohibited from making a contribution of \$250 or more to any Board Member for three months following a Regional Water Board decision on the permit application.

Any person affected adversely by a decision of the Regional Water Board, may petition the State Water Resources Control Board (State Water Board), to review the decision. The petition must be received by the State Water Board within 30 days of the Regional Water Board's meeting at which the action was taken. Copies of the laws and regulations applicable to filing a petition will be provided upon request.

The next Regional Water Board meeting will be held on August 25 and 26, 1999 in Eureka, California.



California Regional Water Quality Control Board  
North Coast Region

**Board Members**

Ross R. Liscum, Chair, Santa Rosa  
William A. Hoy, Weed  
James Mitchell, Santa Rosa  
Stan Plowman, Trinity Center  
Bev Wasson, Rio Nido

**Staff**

Lee A. Michlin, Executive Officer  
Craig R. Johnson, Assistant Executive Officer, Ombudsman  
Jean M. Spath, Executive Assistant  
Kathleen A. Daly, Regional Administrative Officer  
Philip G. Wyels, Legal Counsel  
John R. Hannum, Senior Water Resource Control Engineer (Northern District)  
Robert L. Tancreto, Supervising Water Resource Control Engineer (Southern District)  
Frank C. Reichmuth, Supervising Water Resource Control Engineer (Non-Point Source Unit)  
Robert R. Klamt, Senior Land and Water Use Analyst (Monitoring & Planning Unit)  
Susan A. Warner, Supervising Water Resource Control Engineer (Site Mitigation Unit)  
Thomas B. Dunbar, Senior Water Resource Control Engineer (Underground Tank Unit)



## **Bill of Rights for Environmental Permit Applicants**

**The California Environmental Protection Agency (Cal/EPA) endorses the following precepts that form the basis of a permit applicant's "Bill of Rights":**

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government Code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and in some cases a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under lead agency. For site remediation, all applicable laws can be administered through a single lead agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

For further information you may contact the North Coast Regional Water Quality Control Board at (707) 576-2220.

